

PA1— Probate application

When someone dies, you need to get a Grant of Representation (known as 'probate'), a document that gives you the legal right to deal with their property, bank accounts, money and other possessions (their 'estate').

Leaflet **PA2** *How to obtain probate – A guide for people acting without a solicitor* explains this process. Further guidance is available online at www.gov.uk/wills-probate-inheritance. If you would like assistance, please telephone the **Probate Helpline** on 0300 123 1072. Probate staff can advise you about processes, but cannot provide you with legal advice.

Please complete this form using BLOCK CAPITALS, placing a tick ☒ in boxes where applicable. If you need more space for answers, please attach extra sheets of paper to your application.

1. Swearing the oath

You are required to swear an oath to state that information you provide in this application is true to the best of your knowledge and belief. Where would you like to do this?

☐ At a solicitor's office

☐ At a Probate Office, at the following District Probate Registry:

Note 1 – we will send you guidance about swearing the oath once you send us the completed application.

A list of District Probate Registries is available in leaflet **PA4**, which you can download from hmctsformfinder.justice.gov.uk

2. The person who has died

2.1 Forename(s) in full

2.2 Surname

2.3 Address

Postcode

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2.4 Date of birth

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2.5 Date they died

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2.6 Did the deceased person hold any assets (excluding joint assets) in another name?

- ☐ Yes, **go to question 2.7**
- ☐ No, **go to question 2.8**

Note 2.6 – this includes them using different spellings of their names and/or leaving out any of their middle names. All such names need to be included on the Grant of Representation for you to access the assets held under the names.

2.7 Please give the **full name(s)** in which the deceased person held the assets, who holds them and where they are held, specifying the names of banks, building societies, addresses of properties, etc.

Full name	Asset	Holder	Address

2.8 At the date of their death, was the deceased person domiciled in either England or Wales?

- ☐ Yes
☐ No

2.9 Was the deceased person legally adopted?

- ☐ Yes
☐ No

2.10 Was any relative of the deceased person legally adopted?

- ☐ Yes
☐ No, **go to question 2.12**

2.11 Please name the legally adopted relatives and give their relationship to the deceased person. Please state whether they were adopted into the deceased person's family, or 'adopted out' (became part of someone else's family).

Name	Relationship	Adopted in or out

2.12 What was the marital status of the deceased person when they died?

- ☐ Bachelor or spinster (never married), **go to section 3**
☐ Widow/widower/civil partner is deceased, **go to section 3**
☐ Married/in a civil partnership

Date they married/entered into the civil partnership

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go to section 3

- ☐ Divorced/civil partnership is dissolved, **go to question 2.13**
☐ Judicially separated, **go to question 2.13**

2.13 If the deceased person did not leave a will, and they were either divorced or their civil partnership was dissolved or they were judicially separated when they died, what is the name of their former spouse or civil partner?

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2.14 What was the date of their divorce, dissolution or judicial separation?

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2.15 What is the name of the court where the Decree Absolute, Decree of Dissolution of Partnership or Decree of Judicial Separation was issued?

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Note 2.8 – generally a person's domicile is the country which they consider to be their permanent home. However, they may be domiciled in a country without having a permanent home there. You may wish to seek legal advice about this.

Note 2.9 – the names of legally adopted people are entered in the Adopted Children's Register. If your relationship with the deceased person was through adoption (e.g. they adopted you, or you adopted them) and they did not leave a will, please obtain a copy of their entry in the Register from The General Register Office, Adoptions Section, Trafalgar Road, Birkdale, Southport PR8 2HH and provide it with your form.

Note 2.12 – a civil partnership is a same-sex relationship that has been registered in accordance with the Civil Partnership Act 2004.

Note 2.14 – this date is on their Decree Absolute, Decree of Dissolution of Partnership or Decree of Judicial Separation. You can get an official copy of these documents from the court that issued them, or from The Divorce Absolute Search Section, Central Family Court, 42–49 High Holborn, London WC1V 6NP.

3. The will and any codicils

3.1 Did the deceased person leave a will?

- ☐ Yes, **please provide the original document(s) with your application**
- ☐ No, **go to section 4**

3.2 Did the deceased person leave any codicils?

- ☐ Yes, **please provide the original codicil document(s) with your application**
- ☐ No

3.3 Is the will dated **before** 4 April 1988?

- ☐ Yes
- ☐ No

3.4 Did the deceased person marry or enter into a civil partnership **after** the date of the will or any codicils?

- ☐ Yes
- ☐ No

3.5 Is there anyone under 18 years old who receives a gift in the will or a codicil?

- ☐ Yes
- ☐ No

3.6 Do any of the witnesses, their spouses or their civil partners receive a gift under the will or a codicil?

- ☐ Yes
- ☐ No

3.7 Name any executors who are **not** making this application with you, and explain why.

Reasons for executors not applying:

A – They died before the deceased person.

B – They died after the deceased person.

C – Power reserved: they have chosen not to apply, but reserve the right to do so later.

D – Renunciation: they have chosen not to apply, and give up all rights to apply.

E – Power of attorney: they will appoint another person to act as their attorney to take a Grant of Representation on their behalf

Full name(s) of executor(s) not applying	A, B, C, D or E

Note 3.1 – a will does not have to be a formal document.

Note 3.2 – a codicil is a document that amends a will.

Note 3.7 – we need to know why any executors aren't included in this application. If any executors aren't included, you **must** notify them of the application in writing. The Grant of Representation will only be issued to those people named as applicants in section 6.

The attorney of one executor and an executor acting in their own right may not jointly apply for a Grant of Representation.

Reason D – if you state that an executor has given up their right to apply, when we receive this application we will send another form to you to give to the executor, for them to sign.

4. Foreign domicile

Note – if the deceased person was domiciled in England or Wales (see question 2.8), you don’t need to complete this section – please go to **section 5**.

4.1 What was the deceased person’s country of domicile?

4.2 What does the deceased person’s estate in England and Wales consist of?

Assets	Values

4.3 Did the deceased person have any wills that were made outside of England and Wales?

☐ Yes, **please provide an official copy with your application; if it is not in English, please also provide a translation**

☐ No

4.4 Did the deceased person own any foreign assets?

☐ Yes, the total value of the deceased person’s foreign assets (not including houses or land):

£

☐ No

4.5 Has an entrusting document, a succession certificate or an inheritance certificate been issued by the deceased person’s country of domicile?

☐ Yes, **please provide the document with your application; if it is not in English, please also provide a translation**

☐ No

Note 4.5 – these documents are other countries’ equivalents to a Grant of Representation. If you do not have any of these documents, you may wish to seek legal advice.

5. Relatives of the deceased person

5.1 Did a spouse or civil partner survive the deceased person?

- ☐ Yes, **complete question 5.2**
- ☐ No, **complete questions 5.2 and 5.3**

5.2 How many of the following blood and adoptive relatives did the deceased person have?

	Under 18 years	Over 18 year
5.2a Sons or daughters who survived the deceased person		
5.2b Sons or daughters who did not survive the deceased person		
5.2c Children of people at 5.2b who survived the deceased person		
5.2d Parents who survived the deceased person		
5.2e Whole-blood brothers or sisters who survived the deceased person		
5.2f Whole-blood brothers or sisters who did not survive the deceased person		
5.2g Children of people at 5.2f who survived the deceased person		
5.2h Half-blood brothers or sisters who survived the deceased person		
5.2i Half-blood brothers or sisters who did not survive the deceased person		
5.2j Children of people at 5.2i who survived the deceased person		

Note 5.1 – ‘survive’ means that they were alive when the deceased person died.

Note 5.2 – please state the number of relatives of the deceased in each section. If there are no relatives, leave the box blank.

Step-relatives should not be included.

A ‘**whole-blood**’ brother or sister is someone who has both parents in common with the deceased person, or someone who was legally adopted by both of the deceased person’s parents.

A ‘**half-blood**’ brother or sister is someone who has only one parent in common with the deceased person, or someone who was legally adopted by only one of the deceased person’s parents.

5.3 How many of the following blood and adoptive relatives did the deceased person have?

Under 18 years	Over 18 year

5.3a Grandparents who survived the deceased person

5.3b Whole-blood uncles or aunts who survived the deceased person

5.3c Whole-blood uncles or aunts who did not survive the deceased person

5.3d Children of people at 5.3c who survived the deceased person

5.3e Half-blood uncles or aunts who survived the deceased person

5.3f Half-blood uncles or aunts who did not survive the deceased person

5.3g Children of people at 5.3f who survived the deceased person

Note 5.3 – please state the number of relatives of the deceased in each section. If there are no relatives, leave the box blank.

Step-relatives and people who were related to the deceased person only by marriage should not be included.

A ‘**whole-blood**’ uncle or aunt is someone who has both parents in common with the deceased person’s mother or father, or someone who was legally adopted by the deceased person’s maternal or paternal grandparents.

A ‘**half-blood**’ uncle or aunt is someone who has only one parent in common with the deceased person’s mother or father, or someone who was legally adopted by only one of the deceased person’s grandparents.

6. About the applicant(s)

6.1 Name of **first applicant**

6.2 Their address

Postcode

6.3 Their home telephone number

6.4 Their mobile/work telephone number

6.5 Their email address

6.6 Their relationship to the deceased person

6.7 Name of **second applicant**

6.8 Their address

Postcode

6.9 Their relationship to the deceased person

Note 6 – all correspondence, including the Grant of Representation, will be sent to the first applicant named in this section.

6.10 Name of **third applicant**

6.11 Their address

Postcode

6.12 Their relationship to the deceased person

6.13 Name of **fourth applicant**

6.14 Their address

Postcode

6.15 Their relationship to the deceased person

7. Inheritance tax summary

7.1 Did you complete an Inheritance Tax Summary online?

- ☐ Yes, **do not submit an Inheritance Tax Summary form with this application**

Please provide the following details, **then go to section 8**:

IHT Identifier

Gross Estate Figure

£

Net Estate Figure

£

- ☐ No, **go to question 7.2**

7.2 Which of the following inheritance tax forms have you completed?

- ☐ Form **IHT205**, **complete 7.3 then go to section 8**
- ☐ Form **IHT207**, **complete 7.4 then go to section 8**
- ☐ Forms **IHT400** and **IHT421**, **complete 7.5 then go to section 8**

7.3 Provide the following figures from form **IHT205**.

Figure from box D

£

Figure from box F

£

7.4 Provide the following figures from form **IHT207**.

Figure from box A

£

Figure from box C

£

7.5 Provide the following figures from form **IHT421**.

Figure from box 3

(Gross value of assets)

£

Figure from box 5

(Net value)

£

Note 7.2 – if you did not complete an Inheritance Tax Summary online, you **must** complete IHT205, or IHT207, or both IHT400 and IHT421.

Note 7.3 – if the deceased person died before 1st September 2006, it may affect which tax form you need to complete, so please ring the **Probate Helpline** on **0300 123 1072**.

Note 7.5 – do **not** send form IHT400 or form IHT421 to us. Please send them to HM Revenue and Customs, Trusts and Estates, Ferrers House, PO Box 38, Castle Meadow Road, Nottingham NG2 1BB. HMRC will stamp your IHT421 and send it to the District Probate Registry you named on your IHT421.

8. Applying as an attorney

- 8.1** Are you applying as an attorney on behalf of one or more people who are entitled to apply for a Grant of Representation?

- ☐ Yes
☐ No, **go to section 9**

- 8.2** Please give the full names of the person or people on whose behalf you are applying.

- 8.3** Please give their address

Postcode

- 8.4** In what capacity are they entitled to apply?

- 8.5** Is a person on whose behalf you are applying unable to make a decision for themselves due to an impairment of or a disturbance in the functioning of their mind or brain?

- ☐ Yes
☐ No

- 8.6** Has anyone been appointed by the Court of Protection to act on behalf of a person on whose behalf you are applying?

- ☐ Yes, **please provide an official copy of the court order with your application**
☐ No

- 8.7** Has a person on whose behalf you are applying appointed an attorney under an Enduring Power of Attorney (EPA) or a Property and Financial Affairs Lasting Power of Attorney (LPA)?

- ☐ Yes, **please provide the original EPA/LPA (or a solicitor's certified copy of it) with your application**
☐ No, **go to section 9**

- 8.8** Has the Enduring Power of Attorney (EPA) been registered with the Office of the Public Guardian?

- ☐ Yes
☐ No

Note 8 – if you are applying on behalf of more than one person, please provide the information requested in this section for the other people you represent on a separate sheet of paper.

Note 8.4 – for example, as an executor named in the will, or on the basis of their relationship to the deceased person if there is no will.

Note 8.5 – this applies if they lack capacity under the Mental Capacity Act 2005 and are incapable of managing their property and financial affairs. You may wish to seek legal advice about this.

Note 8.7 – an LPA must be registered with the Office of the Public Guardian before it can be used.

9. Checklist

Please send this application form to the District Probate Registry of your choice (see leaflet **PA4**). Before you submit your application form, please complete this checklist to confirm that you have enclosed the relevant documents and fees, and if applicable tick the declaration.

- ☐ PA1 (Probate Application Form)
- ☐ Inheritance Tax Summary form: please submit the appropriate form (IHT205, IHT207 or IHT217), signed by all applicants.
- ☐ The original will and any codicils, plus three plain (not certified), unstapled and A4-sized copies of the will and any codicils.
- ☐ An official copy of any foreign wills or any wills dealing with assets held outside England and Wales (and if not in English, an English translation).
- ☐ An official copy (**not** a photocopy) of the deceased person's death certificate, or a coroner's interim certificate.
- ☐ Any other documents requested on this form. Please list them:

- ☐ A cheque/postal order payable to '**HMCTS**' in respect of HMCTS's fees. Please write the name of the deceased person on the back of the cheque/postal order. As well as the application fee, there is a fee for each official copy of the Grant of Representation that we provide (see the fee list leaflet **PA3**).

How many official copies of the Grant of Representation do you require for use **in** England and Wales?

How many official copies of the Grant of Representation do you require for use **outside** of England and Wales?

Application fee

£

Fees for copies

£

Total fees

£

- ☐ I/we declare that I/we have given written notice to all executors who have power reserved to them and are not making this application.

Note 9 – if you completed an Inheritance Tax Summary online, **and** fully complete question 7.1 of this form, you do not need to send an Inheritance Tax Summary form with your application.

Do not attach anything to or remove anything from the original will/codicils. If you separated the original will for photocopying, please explain this in a covering letter. Also make sure that you keep a copy for yourself.

If you do not enclose all of the required documents, it will take us longer to process your application. Please ensure that the information that you provide is accurate, and keep copies of all documents.

Note – if you fail to give written notice, it is likely to delay your application (see question 3.7).

Signature of **first applicant**

Date

Signature of **second applicant**

Date

Signature of **third applicant**

Date

Signature of **fourth applicant**

Date